



Legislation Details (With Text)

File #: 2309-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/11/2015 **In control:** Public Utilities Committee

On agenda: 10/19/2015 **Final action:** 10/21/2015

Title: To authorize the City Attorney to spend City funds to acquire in good faith certain fee simple title and lesser real property interests located in the vicinity of West Case Road and Godown Road, Columbus, Ohio 43235 and contract for associated professional services in order for DPU to timely complete the Portage Grove Sanitary Sewer Public Improvement Project; to transfer within \$85,602.00 and expend up to \$100,000.00 in funds from the Sanitary Sewer General Obligation Bond Fund; amend the 2015 Capital Improvements Budget; and to declare an emergency. (\$100,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/21/2015	1	CITY CLERK	Attest	
10/20/2015	1	MAYOR	Signed	
10/19/2015	1	COUNCIL PRESIDENT	Signed	
10/19/2015	1	Columbus City Council	Approved	Pass

BACKGROUND:

The City’s Department of Public Utilities (DPU) is engaged in the Portage Grove Sanitary Sewer (PID 650700-100000) Public Improvement Project (“Public Project”). The City must acquire in good faith certain fee simple title and lesser real property interests located in the vicinity of West Case Road and Godown Road, Columbus, Ohio 43235 (collectively, “Real Estate”) in order for DPU to complete the Public Project. Accordingly, DPU requested the City Attorney to acquire the Real Estate and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*) in order for DPU to timely complete the Public Project.

CONTRACT COMPLIANCE:

Not applicable.

FISCAL IMPACT:

DPU determined the funding for the City Attorney to acquire the Real Estate will come from DPU’s Sanitary Sewer GO Bond Fund, Fund 664. This ordinance authorizes the transfer within of up to \$85,602.00 and the expenditure of up to \$100,000.00 in funds from the Sanitary Sewer System General Obligation Bond Fund, Fund 664 and an amendment to the 2015 Capital Improvements Budget.

EMERGENCY JUSTIFICATION:

Emergency action is requested in order for the City Attorney to acquire the Real Estate so that DPU may timely complete

the Public Project without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

To authorize the City Attorney to spend City funds to acquire in good faith certain fee simple title and lesser real property interests located in the vicinity of West Case Road and Godown Road, Columbus, Ohio 43235 and contract for associated professional services in order for DPU to timely complete the Portage Grove Sanitary Sewer Public Improvement Project; to transfer within \$85,602.00 and expend up to \$100,000.00 in funds from the Sanitary Sewer General Obligation Bond Fund; amend the 2015 Capital Improvements Budget; and to declare an emergency. (\$100,000.00)

WHEREAS, the City intends to improve the sanitary sewer infrastructure in the vicinity of West Case Road and Godown Road, Columbus, Ohio 43235 by allowing the Department of Public Utilities (DPU) to engage in the Portage Grove Sanitary Sewer Public Improvement Project (*i.e.* Public Project);

WHEREAS, the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple title and lesser property interests (*i.e.* Real Estate) in order for DPU to complete the Public Project;

WHEREAS, the City intends for a transfer and expenditure within DPU’s Sanitary Sewer GO Bond Fund, Fund 664 in order for the City Attorney to spend City funds to acquire the Real Estate and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*);

WHEREAS, it is necessary to amend the 2015 Capital Improvements Budget to provide sufficient authority for the Public Project’s expenditure described in this ordinance; and

WHEREAS, an emergency exists in the City’s usual daily operations in that it is immediately necessary to authorize the City Attorney to acquire the Real Estate and contract for associated professional services so that DPU may timely complete the Public Project without unnecessary delay, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

SECTION 1. The City Attorney is authorized to acquire in good faith certain fee simple title and lesser real property interests (*i.e.* Real Estate) in order for the Department of Public Utilities (DPU) to timely complete the Portage Grove Sanitary Sewer (PID 650700-100000) Public Improvement Project (*i.e.* Public Project).

SECTION 2. The City Attorney is authorized to contract for professional services (*e.g.* surveys, title work, appraisals, *etc.*) associated with the Real Estate’s acquisition.

SECTION 3. The City Auditor is authorized and directed to transfer up to \$85,602.00 from within the Sanitary Sewer General Obligation Bond Fund | Fund No. 664 | Division 60-05 | Obj. Lvl 3 6601:

From:

Fund No. | Project No. | Project Name | OCA Code | change

664 | 650707-100000 | Cherry St. / Fourth Combined Inflow | 664707 | -\$85,602.00

To:

Fund No. | Project No. | Project Name | OCA Code | change

664 | 650700-100000 | Portage Grove Area Assessment | 664700 | +85,602.00

SECTION 4. The 2015 Capital Improvements Budget is amended as follows, to provide sufficient budget authority for the Public Project’s expenditure described in this ordinance.

Fund No. | Project No. | Proj. Name | Current | Revised | (Change)

Creation of Authority to match Cash:

664 | 650707-100000 | Cherry St. / Fourth Combined Inflow | \$0 | \$569,067 | \$569,067

664 | 650700-100000 | Portage Grove Area Assessment | \$0 | \$14,398 | \$14,398

664 | 650707-100000 | Cherry St. / Fourth Combined Inflow | \$569,067 | \$483,465 | (-\$85,602)

664 | 650700-100000 | Portage Grove Area Assessment | \$14,398 | \$100,000 | (+\$85,602)

SECTION 5. In order to exercise the authority described in Sections One (1) and Two (2) of this ordinance, the City Attorney is authorized to spend up to One Hundred Thousand and 00/100 U.S. Dollars (\$100,000.00), or as much as may be necessary from DPU's Sanitary Sewer GO Bond Fund, Fund 664 in the following manner:

Division 60-05 | Fund 6664 | Object Level One 06 | OCA Code 664700 | Project 650700-100000 | \$100,000.00.

SECTION 6. The City Auditor is authorized and directed to establish any appropriate accounting codes once the funds necessary to carry out the purpose of this ordinance are deemed appropriated.

SECTION 7. The City Auditor is authorized and directed to transfer any unencumbered balance in the Public Project's account to the unallocated balance within the same fund upon receipt of certification by the director of the department administering the Public Project that the Public Project is complete and the monies are no longer required for the Public Project, except that no transfer can be made from a project account by monies from more than one source.

SECTION 8. The City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

SECTION 9. The City Auditor is authorized and directed to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 10. For the reasons stated in the preamble of this ordinance, which are fully incorporated into this ordinance as if rewritten, this ordinance is declared to be an emergency measure and is required take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after its passage if the Mayor neither approves nor vetoes this ordinance.